

FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: February 10, 2017

Agenda Item: White Bear Fishing Access Site Land Disposal (R4)

Division: Fisheries

Action Needed: Endorsement

Time Needed on Agenda for this Presentation: 5 Min

Background

White Bear Fishing Access Site (FAS) is located on the edge of Great Falls. The site has become an attraction for non-sporting type use during summer months (June-September), including under-age use of alcohol, illegal drug use, violent behavior, public disturbance, vandalism and litter. This activity has caused numerous disturbances with neighbors and other site users and requires a high law enforcement presence and high demand on maintenance resources. Neighbors have expressed concerns about their safety and security by users of the FAS. In 2015, the Commission closed the site from June-September to curb this type of behavior while a long term solution to trade the site was being explored. In July 2016, similar public behavior prompted complaints from the neighbors and the Commission closed the site through September 2016. Along with the seasonal closures, FWP was authorized by the Commission to pursue the two land acquisitions for FAS. Staff pursued both of those as trades for the White Bear FAS site. In one case a public access easement could not be negotiated across neighboring property. In the other case, the owner was not willing to trade for appraised value. Due to the recurring problems with public use and the lack of options for trade, the Department is now exploring the option of disposal of White Bear FAS.

Public Involvement Process & Results

Both before and after the closure the public had frequent reports and complaints about users at the site. The neighbors approached the Commission in September 2014 during the open-microphone session and raised concerns about their safety. The public commented during the 2015 seasonal closure process. FWP staff met with the Homeowners Association frequently to address complaints and concerns for safety. The Commission closed the site in 2015. Public complaints to the Commission in 2016 resulted in another emergency closure. Additionally, and in accordance with statute, the Department will prepare an EA and release it for a 30-day public comment period allowing an opportunity for the public to provide input on the proposed land disposal.

Alternatives and Analysis

Seasonal closures do not appear to be a solution, because even though the 2015 seasonal closure eliminated the problems, the problems returned in 2016 when no closure was in place. The options for trade have also been explored unsuccessfully. Disposal of the property is therefore the only viable remaining alternative.

Agency Recommendation & Rationale

FWP is asking the Commission to endorse proceedings for disposal of the site. The Department explored trading and seasonal closures, both of which were unsuccessful. Now the Department is seeking approval to dispose of the property.

Proposed Motion

I move the Commission authorize the Department to proceed with its due diligence process in the disposal of the White Bear FAS property.